

Message

From: Dixon, Chelsea [Dixon.Chelsea@epa.gov]
Sent: 1/28/2016 4:40:02 PM
To: Craig, Harry [Craig.Harry@epa.gov]
CC: Garvey, Melanie [Garvey.Melanie@epa.gov]; Hunt, Stuart [Hunt.Stuart@epa.gov]; Maddox, Doug [Maddox.Doug@epa.gov]; Shuster, Kenneth [Shuster.Kenneth@epa.gov]; Doster, Kathleen [Doster.Kathleen@epa.gov]; Dalzell, Sally [Dalzell.Sally@epa.gov]
Subject: RE: Update RE: OU 3M onsite detonations

Harry,

Thanks for the email. Please keep us apprised of the situation, especially if you anticipate a dispute, and let us know if we can assist in any way.

Chelsea

Chelsea E. Dixon
Federal Facilities Enforcement Office
U.S. Environmental Protection Agency
WJC South 2202E
1200 Pennsylvania Ave., NW (MC 2261A)
Washington, DC 20460
(202) 564-2592

-----Original Message-----

From: Craig, Harry
Sent: Wednesday, January 27, 2016 2:43 PM
To: Maddox, Doug <Maddox.Doug@epa.gov>; Shuster, Kenneth <Shuster.Kenneth@epa.gov>
Cc: Garvey, Melanie <Garvey.Melanie@epa.gov>; Hunt, Stuart <Hunt.Stuart@epa.gov>; Dixon, Chelsea <Dixon.Chelsea@epa.gov>
Subject: FW: Update RE: OU 3M onsite detonations

Deliberative Process / Ex. 5

Harry

-----Original Message-----

From: Kobeski, Raymond A CIV NAVFAC NW, OP3E31 [mailto:raymond.kobeski@navy.mil]
Sent: Wednesday, January 27, 2016 10:46 AM
To: Craig, Harry <Craig.Harry@epa.gov>
Cc: Vidargas, Nick <Vidargas.Nick@epa.gov>; Erika. shaffer (Erika.shaffer@dnr.wa.gov) <Erika.shaffer@dnr.wa.gov>; Glazier, Nancy D CIV NAVFAC NW OGC, 09C <nancy.glazier@navy.mil>; Johnston, Jill <Jill.Johnston@aecom.com>; Wilson, Scot <Scot.Wilson@tetrattech.com>; Denice Taylor <dtaylor@suquamish.nsn.us>; Ginn, Dina R CIV NAVFAC NW, EV3 <dina.ginn@navy.mil>; Wicklein, Mark A CIV NAVFAC NW, OP3E31 <mark.wicklein@navy.mil>; Grant, Dave M CIV NAVFAC NW, OP3E22 <dave.m.grant@navy.mil>; Faulk, Dennis <Faulk.Dennis@epa.gov>; Dennis Lewarch <dlewarch@suquamish.nsn.us>
Subject: Update RE: OU 3M onsite detonations

Mr. Craig,

Currently, the plan for onsite detonation is driven by the Project's UXO Safety Supervisor's determinations that the items are NOT SAFE TO TRANSPORT.

Mr Craig have your concerns been addressed by resending the 2014 FCR?

Please provide any additional concerns or email confirmation that they have been addressed by the FCR. Otherwise I will add that to action items awaiting EPA concurrence prior to onsite detonation under CERCLA.

TTECH inspects monthly to ensure that Discarded Military Munitions remain in a safe condition in the Magazine.

I am letting everyone know that EOD Bangor (Military) has concerns that due to the material makeup of the safety features on the fuses that they MAY EXERT their authority to declare this an emergency and handle as a Level 1 Response. This is due to impacts on the metal from being exposed to a salt water environment for the past ~60 years and being removed from that environment. The monthly inspections are used to document the DMM conditions and the need to contact EOD for an emergency response. I am letting everyone know that I do not have the authority to overrule EOD despite any agreements not utilize EOD anymore. In other words my fear and concern is delays and I am trying my best to ensure Mr Craig that

your concerns are addressed each and every time they are brought up. Currently, it is the Navy's understanding that your concerns have been addressed by the FCR.

Per the meeting in February 2015 with Dina Ginn, Ray Kobeski, Harry Craig and Dennis Faulk on the Possible Notice of Violation reported to Washington State even if an level 1 response occurs by EOD Bangor, it will be onsite and the RCRA waste characterization (Pre and Post Samples of the Soil) will be taken and that TTEch will do any Hazardous Waste Disposal through the Waste Process at Naval Base Kitsap of the soil if required. (this is not anticipated). In addition this meeting spurred additional conversations and inspections by WADOE for the DMM under the Washington State Military Munition Rule. Navy had no discrepancies (Washington State Military Munitions Rule for DMM) during any of the State's inspections.

To accomplish onsite detonation the Navy is awaiting the following information to schedule the evolution.

- A decision by the Suquamish Tribe if addition consultation for 106 is desired beyond July 2015 email on the onsite detonations and incorporation of any outcome of that ongoing consultation. (Depending on outcome of ongoing 106 consultations maybe above RPM authority)
- DDESB approval to move the location from the previous location in the QUAP (EPA Approved) and ESS (DDESB Approved) location at the Southern Boundary of JPHC to Baseball Field. (We have provided all information and are in the QUE for review)
- published newspaper notification to meet the public 30 day notification requirements. (Once date established)

Once all remaining items are satisfied:

The Navy is planning a multiple day evolution hopefully between May-June 2016 time frame:

- Conducted during daylight hours (normal working and during school)
- At the Request of WA STATE- 1 evolution with Washington State Department of Ecology's MRP person and the Navy's assigned Dangerous Waste inspectors for education on the Navy processes on explosive safety.
- Video Taped for the Administrative record and Education for Both Navy and Regulatory Project Managers on Munition Response Sites. To capture lessons learned and improve Regulatory/Military understanding of the operation.

DDESB has prioritized review of Explosive Safety Submittals and we are in the Que. In addition, the Navy is awaiting concurrence from EPA and information requests on 106 Consultation from The Suquamish. Wish I had more specifics on the dates.

v/r

Raymond A. Kobeski
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-----Original Message-----

From: Kobeski, Raymond A CIV NAVFAC NW, OP3E31

Sent: Monday, January 25, 2016 12:18 PM

To: 'Craig, Harry'

Cc: Vidargas, Nick; Erika. shaffer (Erika.shaffer@dnr.wa.gov); Glazier, Nancy D CIV NAVFAC NW OGC, 09C; Johnston, Jill; Wilson, Scot; Denice Taylor; Ginn, Dina R CIV NAVFAC NW, EV3; Wicklein, Mark A CIV NAVFAC NW, OP3E31

Subject: RE: OU 3M onsite detonations

Harry,

Remember these from 2014. Onsite detonation was a part of the original QUAP which you already approved through the dispute resolution process on the RI work plan. Soil samples are for waste characterization of the soil not sight investigation. The location is the only thing that changes not the fact that controlled detonations Remember Harry you do not approve field changes. This is a change to the waste disposal plan. Either the soils are a RCRA waste or it is not No design change has occurred. We are not doing a site investigation..

v/r

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-----Original Message-----

From: Craig, Harry [mailto:Craig.Harry@epa.gov]
Sent: Monday, January 25, 2016 11:06 AM
To: Denice Taylor; Kobeski, Raymond A CIV NAVFAC NW, OP3E31
Cc: Dennis Lewarch; Vidargas, Nick; Erika. shaffer (Erika.shaffer@dnr.wa.gov)
Subject: [Non-DoD Source] RE: OU 3M onsite detonations

Ray,

The other consideration for on-site open detonation is the EPA under the NCP is required to review and approve SAP/QAPPs for sampling conducted under RI/FS and RD/RA Workplans. To date, EPA has not received a draft final or final SAP/QAPP for this action. When does the Navy expect to submit the draft final SAP/QAPP for on-site detonation sampling to EPA for review and approval?

Regards,

Harry

From: Denice Taylor [mailto:dtaylor@suquamish.nsn.us]
Sent: Monday, January 25, 2016 10:42 AM
To: raymond.kobeski@navy.mil
Cc: Dennis Lewarch <dlewarch@Suquamish.nsn.us>; Craig, Harry <Craig.Harry@epa.gov>
Subject: OU 3M onsite detonations

Ray,

In your e-mail sent on 12/12/2015 regarding a potential JPHC public meeting in January, one of the attachments refers to onsite detonations taking place in this spring.

The Lead Agency has made a determination that failure of the Land Use Controls implementation at OU3T NHB and to meet ARAR compliance of notifying the public that OU3 M Onsite detonations will be taking place spring 2016 on Elwood Point (OU3T JPHC) are significant updates.

Has the Navy initiated Section 106 consultation with the Suquamish Tribe for this undertaking?

Thanks,

Denice